IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE PIUS C.KURIAKOSE

WEDNESDAY, THE 25TH JULY 2007 / 3RD SRAVANA 1929

WP(C).No. 19008 of 2005(K)

EP.416/2003 of MUNSIFF'S COURT, HOSDRUG

.....

PETITIONER:

C. KAMALAKSHY, W/O. SHIVARAMAN NAIR,
PACHAKUNDU, KANHIRAPOIL, KASARAGOD DISTRICT.

BY ADV. SRI.SUBHASH CYRIAC

RESPONDENTS:

---

1. STATE OF KERALA REPRESENTED BY
THE SECRETARY TO CO-OPERATIVE DEPARTMENT
THIRUVANANTHAPURAM.

2. THE JOINT REGISTRAR,
CO-OPERATIVE SOCIETIES, KASARAGOD.

3. KOTTACHERRY SERVICE CO-OPERATIVE
BANK LTD., BELLA VILLAGE, REPRESENTED BY
ITS SECRETARY, KASARAGOD DISTRICT.

R1 & R2 BY GOVT.PLEADER SRI.SHYSON P.MANGUZHA.

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 25/07/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

WPC.19008/05

APPENDIX

PETITIONER'S EXTS:

EXT.P1 – TRUE COPY OF CIRCULAR DT.30.3.05 DECLARING ENTIRE KASARAGOD DISTRICT AS DROUGHT AFFECTED AREA.

EXT.P2 – TRUE COPY OF COMMON GUIDELINES FOR PRIORITY SECTOR ADVANCES ISSUED BY RBI DT.11.11.02.

EXT.P3 – TRUE COPY OF SALE NOTICE OF THE MUNSIFF'S COURT, HOSDRUG.

/TRUE COPY/

PIUS C. KURIAKOSE, J.

.....

W.P.(C)No.19008 OF 2005

.....

DATED THIS THE 25th JULY, 2007

J U D G M E N T

The petitioner has not remitted process so far, though notice was ordered as early as on 24.6.2005. Counsel for the petitioner submits that process will be remitted today itself. I am not impressed. The Writ Petition will stand dismissed. However, considering the submission of the learned counsel for the petitioner that presently the loans advanced by the 3rd respondent-bank which is a bank in Kasaragod District are being re-scheduled in view of the peculiar circumstances obtaining in that District, I clarify that it will be open to the petitioner to approach the 3rd respondent-bank for re-scheduling the loan.

(PIUS C.KURIAKOSE, JUDGE)

tgl